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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/812,011	03/30/2004	Jeong-su Lim	1572,1274	2786
21171	7590	05/16/2008		EXAMINER
STAAS & HALSEY LLP				EPPS, TODD MICHAEL
SUITE 700				
1201 NEW YORK AVENUE, N.W.			ART UNIT	PAPER NUMBER
WASHINGTON, DC 20005			3632	
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			05/16/2008	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/812,011	<b>Applicant(s)</b> LIM, JEONG-SU
	<b>Examiner</b> Todd M. Epps	<b>Art Unit</b> 3632

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If no period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED. (35 U.S.C. § 133).

Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 14 November 2007.

2a) This action is FINAL.      2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-4, 6, 13-34 and 38-49 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-4, 6, 13-34 and 38-49 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All    b) Some \* c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_

4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_

5) Notice of Informal Patent Application (PTO-152)

6) Other: \_\_\_\_\_

### **DETAILED ACTION**

This is the third Office Action **final** for serial number 10/812,011, Monitor Apparatus, filed on March 30, 2004.

#### ***Claim Objections***

Claim 48 is objected to because of the following informalities: lines 2-3, the word "member" should be -- members --. Appropriate correction is required.

#### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-4, 6, 13, and 38 are rejected under 35 U.S.C. 102(b) as being anticipated by the Applicants Admitted Prior Art (AAPA) as identified by Fig. 1-2b of the drawings, and pages 1-2 of specification, which the applicant submitted.

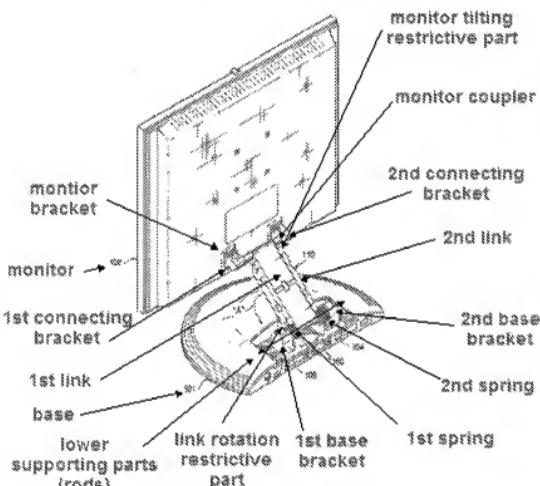
The prior art discloses a first link (110, interior) provided between the monitor (102) and the base (101); a second link (110, exterior with H-shape portion) provided between the monitor (102) and the base (101), and adjacent to the first link; wherein the second link is provided as a pair (110, 2<sup>nd</sup> side - top portion and side portion) and formed to be bar-shaped; a base bracket (104, and 106), combined to the base (101),

the base bracket having first and second lower supporting parts (adjacent of 104, and 106) to rotatably support lower parts of the first and second links, respectively; a connecting bracket (fig. 1) rotatably combined to the monitor (102), the connecting bracket having first and second upper supporters (fig. 1) to rotatably support upper parts of the first and second links, respectively; a first spring (fig. 1- 1<sup>st</sup> side) interposed between the first link and the first lower supporting part, to elastically bias the first link upward with respect to the base; wherein the first spring comprises a torsion spring having a first end coupled to the first lower supporting part, and a second end coupled to the first link; wherein the monitor is tilted with respect to the connecting bracket to adjust a tilting angle of the monitor; a second spring (fig. 1- 2<sup>nd</sup> side) interposed between the second link and the second lower supporting part to elastically bias the second link upward with respect to the base, wherein the distance between rotating axes of the first and second lower supporting parts that rotatably support the first and second links, respectively, is greater than the distance between tilting axes of the first and second upper supporters; a monitor coupler (fig. 1) spaced from the first and second supporters, and rotatably combined to the monitor; a link rotation restrictive part (fig. 1; bottom between springs and links) to restrict a rotation angle of at least one of the first and second links relative to the base; wherein the link rotation restrictive part further comprises a protrusion protruding from the base bracket to restrict the rotation angle of at least one of the first and second links by making contact with an upper surface of at least one of the first and second links (fig. 1); wherein the second spring further comprises a torsion spring having a first end removably coupled to the second lower

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supporting part, and a second end removably coupled to the second link; a monitor bracket (fig. 1 - backside of the monitor) combined to the monitor, and rotatably combined to the connecting bracket.

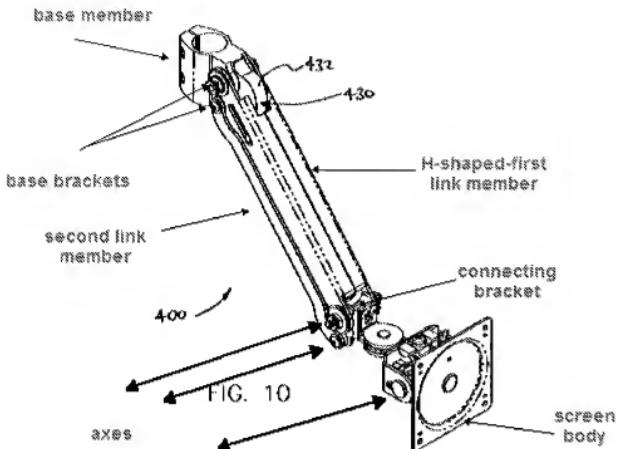
FIG. 1  
(PRIOR ART)



(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 44-47, and 49 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 7,252,277 to Sweere et al. (Sweere).

Sweere '277 discloses a display apparatus (figure 10) comprising: a screen body; a base member supporting the screen body; a first link member provided between the screen body and the base member, the first link member being rotatable with respect to the screen body at an upper end and being rotatable with respect to the base member at a lower end; a second link member provided between the screen body and the base member, the second link member being rotatable with respect to the screen body at an upper end and being rotatable with respect to the base member at a lower end; a base bracket coupling the base member with the lower end of the first link member and the lower end of the second link member; a connecting bracket coupling the screen body with the upper end of the first link member and the upper end of the second link member; wherein the first link member and the second link member have a different axis of rotation at the upper ends and the lower ends; wherein the screen body is rotatable with respect to the connecting bracket; wherein the screen body have a different axis of rotation from the upper ends of the first link member and the second link member; wherein the axes of rotation of the screen body and the upper ends of the first member and the second link member are parallel apart from one another; and wherein the first link member has an H-shape.



#### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 14 – 28, 30 - 34, and 39 - 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over the Applicants Admitted Prior Art (AAPA) as identified by Fig.

1-2b of the drawings, and pages 1-2 of specification, which the applicant submitted in view of U.S. Patent No. 6,671,928 to Huang.

The prior art discloses the previous invention failing to specifically teach wherein the connecting supporter further comprises a connecting supporter; wherein the connecting supporter further comprises a through hole via which the monitor couple is rotatably combined to the connecting supporter; and a rotation restrictive part via a monitor tilting restrictive part (could be ref #110 - top portion) to restrict a tilting angle of the monitor bracket relative to the connecting bracket; and a projection protruding from the monitor coupler, and a stopping part (fig. 1) formed by cutting an arc of the connecting supporter provided in the monitor bracket. Nevertheless, Huang '928 discloses wherein a connecting supporter (flange) comprises a through hole via which the monitor coupler is rotatably combined to the connecting supporter; wherein the through hole has a non-circular shape (223); and a rotation restrictive part (212). Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the connecting supporter of the previous art with the connecting supporter as in Huang '928 because one would have motivated to provide a means for connecting purpose as the monitor is being adjusted.

Claim 41-43 is rejected under 35 U.S.C. 103(a) as being unpatentable over the Applicants Admitted Prior Art (AAPA) in view of to Huang '928, and in further view of U.S. Patent No. 6,570,627 to Chang.

The prior art discloses the previous invention failing to specifically teach wherein a shaft fitted to a flat spring. Nevertheless, Chang '627 discloses a shaft (51) fitted into a flat spring (68a-d). Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the connecting bracket of the previous art in view of Huang '928 to include the shaft with a flat spring as in Chang '627 because one would have motivated to provide a means for connecting purpose as the monitor is being adjusted.

Claim 29 is rejected under 35 U.S.C. 103(a) as being unpatentable over the Applicants Admitted Prior Art (AAPA) as identified by Fig. 1-2b of the drawings, and pages 1-2 of specification, which the applicant submitted.

The prior art discloses the previous invention failing to specifically teach wherein the sum of resilience due to the first and second springs is approximately equal to a weight of the monitor. Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have the sum of resilience due to the first and second springs equal to a weight of the monitor wherein doing so would provide thereof for additional strength and support to hold the monitor at any height.

Claim 48 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sweere '277.

Sweere '277 fails to disclose wherein the distance between axes of rotation of the lower ends of the first and second link members is greater than the distance

between the axes of rotation of the upper ends of the first and second link members.

Althought, Sweere '277 discloses wherein the distance between axes of rotation of the lower ends of the first and second link members is the same as the distance between the axes of rotation of the upper ends of the first and second link members.

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the links of Sweere '277 to include the distance between the links at one lower end to be greater because one would have motivated to provide a design consideration which fails to patentably distinguish over the prior art reference of Sweere '277. Furthermore, it is a functional equivalent whether the distance as stated above are the same or greater over the other as long as it can rotate and support a monitor.

#### ***Response to Arguments***

Applicant's arguments filed November 14, 2007 have been fully considered but they are not persuasive.

In response to applicant's argument that the connecting member 110 is one single link and therefore does not anticipate a separately recited first link and second link. The Examiner respectfully disagrees. Although, the applicant labeled the connecting member 110 as one element, but within the element, there are two parts connected together as one element. Applicant will see the annotated copy of figure 1 above that there are parts: a H-shaped connecting member (2<sup>nd</sup> link) and a central

connecting member (1<sup>st</sup> link); and the central connecting member which is mounted in between the H-shaped connecting member with first and second axes that go through the apertures at lower and upper ends to hold them together as one element (110). Therefore, this meets the limitation of the independent claims 1, 16, and 41.

***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Todd M. Epps whose telephone number is (571) 272-8282 – or – whose e-mail address is Todd.Epps@uspto.gov. The examiner can normally be reached on M-F (7:30-4:30).

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/T.M.E./

Todd M. Epps  
Patent Examiner  
Art Unit 3632  
May 5, 2008

/Alfred Joseph Wujciak III/

Primary Examiner, Art Unit 3632